



April 9, 2025

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VIA SDNY ECF

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Hon. Philip M. Halpern
United States District Court, Southern District of New York
300 Quarropas Street, Courtroom 520
White Plains, New York 10601

Re: *JCCA v. Carl Fulgenzi and the Town of Mount Pleasant*
SDNY Civ. Case No.: 24-cv-02580 (PMH) (VR)

Dear Judge Halpern:

This firm represents Defendants Carl Fulgenzi as Supervisor and Chief Executive Officer of the Town of Mount Pleasant (“Supervisor Fulgenzi”) and the Town of Mount Pleasant (the “Town”) (collectively, “Defendants”) in the above-referenced matter. Per the Court’s order dated March 28, 2025 (see ECF Dkt. No. 38), enclosed please find a fully executed stipulation of settlement in this action. We respectfully request that your Honor “So-Order” the same.

Thank you for your time and attention to this matter.

RESPECTFULLY SUBMITTED,

HARRIS BEACH MURTHA CULLINA PLLC

/S/ Darius P. Chafizadeh

DARIUS P. CHAFIZADEH

cc: All Counsel (via ECF)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Jewish Child Care Association of New York
d/b/a JCCA,

Plaintiff,

Case No.: 24 Civ. 2580 (PMH)

– against –

CARL FULGENZI as Supervisor and Chief Executive
Officer of the TOWN OF MOUNT PLEASANT,
TOWN OF MOUNT PLEASANT,

Defendants.

STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
Parties, through their respective counsel, that:

1. The Town of Mount Pleasant, Local State of Emergency, Emergency Order No. 1, issued on March 26, 2024, expired on December 16, 2024, and is no longer in effect.
2. The Town of Mount Pleasant, Local State of Emergency, Emergency Order No. 2, issued on December 16, 2024, was revised by a subsequent order, Emergency Order 2-A as set forth below, and is no longer in effect.
3. The Town of Mount Pleasant, Local State of Emergency, Emergency Order No. 2-A, issued on February 9, 2025, revised and superseded Emergency Order No. 2, and is currently in effect. It is understood and agreed that JCCA must comply with the requirements of all applicable statutes, laws, regulations, and rules of the United States of America, the state of New York, the County of Westchester, and the Town (“Statutes Laws and Regulations”).
4. As long as all Statutes, Laws and Regulations are complied with, Emergency Order 2-A does not and will not bar JCCA from providing residential shelter, supervision, and

services to unaccompanied children under a contract between JCCA and the Division of Unaccompanied Children Operations (“DUCO”) for a program managed by the Office of Refugee Resettlement, as described in paragraphs 10 through 16 of the Complaint in this Action (the “ORR Program”).

5. This stipulation does not address, and the parties do not herein agree, whether JCCA’s operation of the ORR Program complies Statutes, Laws and Regulations or with any specific laws and regulations, including but not limited to, the Town of Mount Pleasant’s zoning regulations, which is not the subject of this Action.

6. This Action is dismissed without prejudice, without costs or fees, including attorneys’ fees, to either party.

Dated: White Plains, New York

April 9, 2025

YANKWITT LLP



Benjamin Allee, Esq.
Cassandra Vogel, Esq.
140 Grand Street, Suite 705
White Plains, New York 10601
Attorneys for Plaintiff

Dated: White Plains, New York

April 9, 2025

HARRIS BEACH MURTHA CULLINA PLLC



Darius Chafizadeh, Esq.
445 Hamilton Avenue
White Plains, New York 10601
Attorneys for Defendants

SO ORDERED this ____ day
of April, 2025